

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

FLOORING ASSOCIATES, INC.,

Plaintiff,

v.

DESIGN MANUFACTURING  
INTERNATIONAL, LLC.,

Defendant.

CASE NO. 2:20-cv-00057-JCC-JRC

ORDER FOR PLAINTIFF TO FILE  
EVIDENCE

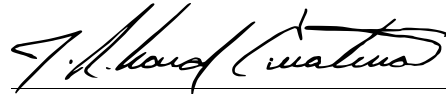
This matter is before the Court on referral from the District Court and on defendant's motion for summary judgment. Dkt. 59.

Upon review, it appears to the Court that plaintiff has failed to properly support an assertion of fact made in response to the summary judgment motion, as required by Federal Rule of Civil Procedure 56(c). Specifically, plaintiff's attorney states that he has provided a "true copy of the Acceptance of Service Ms. McKillop signed and provided to me via email on January 2, 2020" as an attachment to his declaration in opposition to the summary judgment

1 motion. Dkt. 72, at 2. But plaintiff did not attach the document and does not appear to have  
2 otherwise filed it in this matter.

3 Therefore, pursuant to Federal Rule of Civil Procedure 56(e)(1), the Court orders plaintiff  
4 to file the Acceptance of Service referenced in his declaration on or before **March 31, 2021**.  
5 Failure to do so will be construed as an admission that the relevant facts argued in defendant's  
6 motion are undisputed, as authorized by Federal Rule of Civil Procedure 56(e)(2).

7 Dated this 24th day of March, 2021.

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10 J. Richard Creatura  
11 Chief United States Magistrate Judge  
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